

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FELIX LUIS CUEVAS,)
Plaintiff,)
)
v.) C.A. No. 10-12277-PBS
)
AMALIA TABATA PEREIRA,)
Defendant.)

MEMORANDUM AND ORDER FOR DISMISSAL

February 14, 2011

SARIS, U.S. D.J.

On December 28, 2010, plaintiff Felix Luis Cuevas ("Cuevas") filed this civil action along with a motion for leave to proceed *in forma pauperis*; however, he failed to provide a certified prison account statement.

On January 3, 2011, Magistrate Judge Boal issued a Procedural Order (Docket No. 4) denying Cuevas's Motion for Leave to Proceed *in forma pauperis* without prejudice to renew by submitting his certified prison account statement pursuant to 28 U.S.C. § 1915(a)(2) within 21 days, or else pay the \$350.00 filing fee.

To date, Cuevas has failed to pay the filing fee for this civil action or file his certified prison account statement as directed.¹

Accordingly, for the failure to satisfy this Court's filing fee requirements, and for the failure of Cuevas to comply with

¹This action was reassigned from Magistrate Judge Boal on February 4, 2011. See Notice of Reassignment (Docket No. 5).

the directives of the Court in this regard, this action is hereby Ordered DISMISSED without prejudice.

Should Cuevas seek to pursue the claims raised in this action, he must file a new Complaint along with the filing fee or an *in forma pauperis* motion; any *in forma pauperis* motion must be accompanied by his certified prison account statement.

SO ORDERED.

/s/ Patti B. Saris
PATTI B. SARIS
UNITED STATES DISTRICT JUDGE